



PATENT  
Customer No. 22,852  
Attorney Docket No. 07705.0001-01000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Brian ZAMBROWICZ et al.	)	Group Art Unit: 1632
	)	
Application No.: 10/797,613	)	Examiner: Shin Lin CHEN
	)	
Filed: March 9, 2004	)	
	)	
For: VECTORS FOR GENE	)	Confirmation No. 3971
MUTAGENESIS AND GENE	)	
DISCOVERY	)	

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**THIRD SUPPLEMENTAL INFORMATION DISCLOSURE**  
**STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the enclosed IDS Form PTO/SB/08. This Information Disclosure Statement is being filed, to the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application.

The documents listed on the enclosed IDS Form PTO/SB/08 were cited in a communication in a counterpart European patent application and the communication is also listed on the form.

Copies of the listed documents are enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the enclosed form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: May 23, 2006

By: 

Rebecca B. Scarr  
Reg. No. 47,057  
Customer No. 22,852

Complete if Known

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

1

Application Number

10/797,613

Filing Date

March 9, 2004

First Named Inventor

Brian ZAMBROWICZ et al.

Art Unit

1632

Examiner Name

Shin Lin CHEN

Attorney Docket Number

07705.0001-01000

## U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		WO 97/09439 A1	03-13-1997	Genvec, Inc.		

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
		JEFFERSON et al., "β-Glucuronidase from <i>Escherichia coli</i> as a gene-fusion marker," <i>Proc. Natl. Acad. Sci. USA</i> , 83:8447-8451 (1986).	
		NEHLS et al., "Exon amplification from complete libraries of genomic DNA using a novel phage vector with automatic plasmid excision facility: application to the mouse neurofibromatosis-1 locus," <i>Oncogene</i> , 9:2169-2175 (1994).	
		Communication Pursuant to Article 96(2)EPC for European Patent Application No. 97 910 766.1 - 1212 dated March 1, 2006.	

Examiner  
SignatureDate  
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.